

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Norberto R Delgado v Department of Corrections**
Docket No. **275310**
L.C. No.

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The complaint for habeas corpus is DISMISSED for lack of jurisdiction because plaintiff has failed to demonstrate that a circuit judge in the county he is detained in has refused to issue a writ of habeas corpus, see MCR 3.303(A)(2), and has failed to demonstrate that he has exhausted his ability to file a motion for relief from judgment. MCR 6.501 required that a motion for relief from judgment be the mechanism to challenge a conviction and sentence.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 15 2007

Date

Sandra Schultz Mengel
Chief Clerk